

PATENT

Atty Docket No. 050992.0200.PCUS13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bentwich, Itzhak

App. No.: 10/535,164

Conf. No.: 2388

I.A. Filing

Date: November 16, 2003

Title: BIOINFORMATICALLY
DETECTABLE GROUP OF
NOVEL REGULATORY
GENES AND USES THEREOF

Art Unit: TBA

Examiner: TBA

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Dear Sir:

A Notification of Missing Requirements was mailed on March 21, 2006, having a due date of May 21, 2006. In accordance with 37 CFR 1.136(a), a petition for a two month extension of time, together with the required extension fee of \$450.00 are attached. All requirements outlined in the Notification and all appropriate fees have been included with this request. If any additional fees are required please charge or credit deposit account 50-1662.

Applicant has reviewed all the requirements to avoid abandonment and submits that all requirements have been met.

OATH OR DECLARATION

A properly signed oath or declaration in compliance with 37 CFR §1.63, identifying the Application by the above Application Number and Filing Date is submitted. In addition the oath or declaration surcharge as set forth in 37 CFR §1.16(f) for \$130 in compliance with 37 CFR §1.27 has been submitted with the Declaration.

SEQUENCE LISTING INFORMATION

A statement pursuant to pursuant to 37 C.F.R. §1.821(f) and submission of compact discs pursuant to 37 C.F.R. §1.53(e) are also attached.

CONCLUSION

For the above-discussed reason, Applicant submits that all items required to avoid abandonment have been corrected and the Application is now in good standing and ready for assignment to an Examiner. If there are any further issues yet to be resolved to advance prosecution of this application to issue, please direct communication to the undersigned counsel.

Respectfully submitted,

POL SINELLI SHALTON WELTE SUELTHAUS PC

Dated: July 21, 2006

By: /Teddy C. Scott, Jr., Ph.D./
Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 27148

180 N. Stetson Ave., Suite 4525
Chicago, IL 60601
312.819.1900 (main)
312.819.1910 (fax)
312.819.4083 (direct)
050992 / 110084
KAKUR 1372522



PATENT

Docket No. 050992.200.PCUS13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bentwich, Itzhak

Group No.

Serial No.: 10/535,164

Examiner:

Intl. Appl. Filing November 16, 2003

Conf. No. 2388

Date:

For: BIOINFORMATICALLY
DETECTABLE GROUP OF NOVEL
REGULATORY GENES AND USES
THEREOF

REQUEST CHANGE OF ATTORNEY DOCKET NUMBER

Dear Sir:

Applicants request that the Attorney Docket No. **06087.0200.PCUS13** be changed
to read as follows: "Docket No. **050992.0200.PCUS13**."

Respectfully submitted,

POLSINELLI SHALTON WELTE SUELTHUAS PC

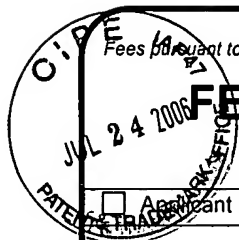
Dated: July 21, 2006

By: /Teddy C. Scott, Jr., Ph.D./
Teddy C. Scott, Jr., Ph.D.
Registration No.: 53,573
Customer No.: 27148

180 N. Stetson Ave., Suite 4525
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050992 / 110084
KAKUR 1372512

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL **for FY 2005**

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 580

Complete if Known

Application Number	10/535,164
Filing Date	November 16, 2003
First Named Inventor	Itzhak Bentwich
Examiner Name	TBA
Art Unit	TBA
Attorney Docket No.	050992.200.PCUS13

METHOD OF PAYMENT (check all that apply)
☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____

☒ Deposit Account Deposit Account Number: 50-1662 Deposit Account Name: Polsinelli Shalton Welte Suelthaus PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s)

☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION
1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES
Fee Description

Each claim over 20 (including Reissues)

Small Entity
Fee (\$) **Fee (\$)**

Each independent claim over 3 (including Reissues)

50 25

Multiple dependent claims

200 100

360 180

Total Claims
Extra Claims
Fee(\$)
Fee Paid (\$)
Multiple Dependent Claims

_____ -20 or HP= _____ x _____ = _____

Fee (\$) **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims
Extra Claims
Fee(\$)
Fee Paid (\$)

_____ - 3 or HP= _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge) : missing parts and 2-month extension fees

580


SUBMITTED BY

Signature	/Teddy C. Scott, Jr., Ph.D./	Registration No.	53,573	Telephone	312-819-4083
Name (Print/Type)	Teddy C. Scott, Jr., Ph.D.	(Attorney/Agent)		Date	July 21, 2006

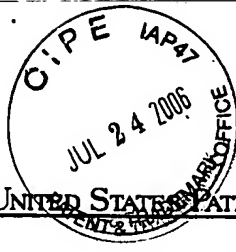
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" (37 CFR 1.8)			Matter No.	
Applicant(s): Itzhak Bentwich			050992.200.PCUS13	
Serial No.	Filing Date	Examiner	Group Art No.	Confirmation No.
10/535,164	November 16, 2003	TBA	TBA	2388
Invention: BIOINFORMATICALLY DETECTABLE GROUP OF NOVEL REGULATORY GENES AND USES THEREOF				
<p>I hereby certify that a Transmittal (2 pages, in duplicate); Fee Transmittal (1 page, in duplicate); Petition for Extension of Time (1 page, in duplicate); Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages); Response to Notification of Missing Requirements (2 pages); Declaration (3 pages); Statement Pursuant to 37 C.F.R. § 1.821(f) (1 page); Transmittal Sheet for submission of Compact Discs Pursuant to 37 C.F.R. § 1.53(E) (1 page); CRF Version of Sequence Listing and 2 copies of same (3 CDs); Check No. 360065 in the amount of \$580.00 (missing parts and 2-month extension fees); a Certificate of Mailing by First Class Mail (1 page); and a stamped, pre-addressed postcard are being mailed by U.S. Postal Service First Class Mail to Addressee, Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 21st day of July, 2006.</p> <p style="text-align: center;"><u>Gayle Canfield</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p style="text-align: center;"> (Signature of Person Mailing Correspondence)</p>				

050992 / 110084
KAKUR 1373606



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/535,164	FIRST NAMED APPLICANT Itzhak BENTWICH	ATTY. DOCKET NO. 06087.0200.PCUS13
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INTERNATIONAL APPLICATION NO.

PCT/IL03/00970

I.A. FILING DATE 11/16/2003	PRIORITY DATE 11/14/2002
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Howrey
 321 N. Clark Street, Suite 3400
 Chicago, IL 60661

CONFIRMATION NO. 2388

371 FORMALITIES LETTER

OC000000018316252

Date Mailed: 03/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/16/2005
- Copy of the International Search Report filed on 05/16/2005
- Preliminary Amendments filed on 09/19/2005
- Biochemical Sequence Listing filed on 05/16/2005
- U.S. Basic National Fees filed on 05/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

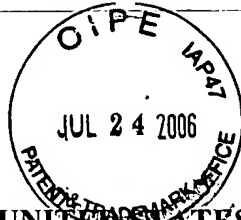
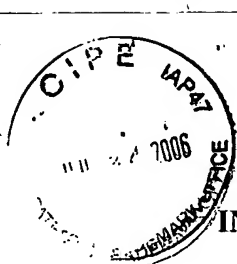
*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,164	PCT/IL03/00970	06087.0200.PCUS13



IAP7 Rec'd PCT/PTO 24 JUL 2006
PATENT
Atty Docket No. 050992.200.PCUS13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bentwich, Itzhak

Group No.: TBA

Serial No.: 10/535,164

Examiner: TBA

Filed: November 16, 2003

Conf. No. 2388

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DETECTABLE GROUP OF NOVEL
REGULATORY GENES AND USES
THEREOF

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Attached hereto and transmitted herewith are the following:

- ☒ Fee Transmittal (1 page, in duplicate);
- ☒ Petition for Extension of Time (1 page, in duplicate);
- ☒ Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States
Designated/Elected Office (DO/EO/US) (2 pages);
- ☒ Response to Notification of Missing Requirements (2 pages);
- ☒ Declaration (3 pages);
- ☒ Statement Pursuant to 37 C.F.R. §1.821(f) (1 page);
- ☒ Transmittal Sheet for Submission of Compact Discs Pursuant to 37 C.F.R. § 1.53(E) (1 page);

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

MAILING

37 C.F.R. §1.8
☒ as first class mail.

37 C.F.R. §1.10
☐ as "Express Mail Post Office to Addressee"
EXPRESS MAIL NO. _____

FACSIMILE TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Gayle Canfield
Name of Depositor

Gayle Canfield
Signature

July 21, 2006
Date

- ☒ CRF Version of Sequence Listing and 2 copies of same (3 CDs)
- ☒ Check No. 360065 in the amount of \$580.00 (missing parts and 2-month extension fees);
- ☒ Certificate of Mailing by First Class Mail;
- ☒ Stamped, Pre-Addressed Postcard.

If any fees might be due in connection with this paper, the Commissioner is authorized to charge any such fees against our Deposit Account No. 50-1662. A duplicate copy of this transmittal is attached.

Respectfully submitted,

POLSINELLI SHALTON WELTE SUELTHAUS PC

Date: July 21, 2006

By: /Teddy C. Scott, Jr., Ph.D./
Teddy C. Scott, Jr., Ph.D.
Registration No. 53,573
Customer No. 27148

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312.819.1910 (fax)
312.918.4083 (direct)

050992 / 110084
KAKUR 1373587

07/28/2006 MKAYPAGH 00000113 10535164

01 FC:2617
02 FC:1206

65.00 OP
290.00 OP